IN THE HIGH COURT OF PUNJAB AND HARYANA AT

CHANDIGARH

FAO No.93 of 2007
Date of Decision: 12.1.2007

Smt.Devi Bai etc.

Appellant

versus

Satpal Verma and others

Respondents

CORAM:- **HON'BLE MR. JUSTICE JASBIR SINGH**

HON'BLE MR. JUSTICE BALDEV SINGH

Present: Shri S.S.Rangi, Advocate for the appellants

Jasbir Singh, J. (Oral)

This appeal has been filed against award given by the Motor Accident Claims Tribunal, Fatehgarh Sahib (in short, the Tribunal) dated 17.10.2006, dismissing claim application of the appellants.

It is apparent from the records that Udey Ram had died in a motor accident on 4.12.2000. At the instance of his son, FIR was recorded on 5.12.2000, wherein neither number of the offending vehicle nor name of the driver was mentioned. Perusal of FIR, which was read in Court by counsel for the appellants, indicates that it was a case of hit and run. Very strangely enough, after about three months i.e. on 15.3.2001, statement of Ratanjit Kumar was recorded, wherein he has stated that Maruti Car bearing No.HR01D-0947 had caused that accident. During trial even said Ratanjit Kumar was not brought in the witness box. It has also come on record that

the criminal trial, which was initiated against respondent No.2, has also resulted in acquittal. The Tribunal came to a conclusion that the accident was not occurred in the manner, in which the claimants were alleging. We feel that the finding given is perfectly justified. No case is made out for interference.

Dismissed.

(Jasbir Singh)
Judge

January 12, 2007 **(Baldev Singh)**
gk **Judge**